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February 20, 2009

Patent No. : 7267797
Inventor : Craighead et al.
Patent Issued : September 11, 2007
Title : NANOFABRICATED PHOTON TUNNELING BASED SENSOR

Re: Request for Certificate of Correction

Consideration has been given your request for the issuance of a certificate of correction for the above-identified patent under the provisions of Rule(s) 1.322.

Inspection of the application for the patent reveals that in connection with the alleged error pertaining to claim 1; the Letters Patent with regard to applicants request is considered as being printed in accordance with the records within the Patent and Trademark Office since the last 2 versions of claim 1 received from applicant, including the allowed version contained "is". This is not a printing error and was presumed to be an amendment back to the original version of claim 1. Accordingly, there being no fault on the part of the Patent and Trademark Office, it has no authority to issue a certificate of correction under the provisions of 5 U.S.C. 254 and Rule 322 of the Rules of Practice of the United States Patent and Trademark Office in Patent Cases.

In view of the foregoing applicants request in this matter is hereby denied. Any telephone inquiry concerning this communication should be directed to Ms. A. Green at (703) 308-9380 ext. 123.

M. Diggs
Mary Diggs, Supervisor
Decisions & Certificates
of Correction Branch
(703) 308-9390 or (703) 308-*9390 ext. 123*

Schwegman, Lundberg & Woessner, PA
P.O. Box 2938
Minneapolis, MN 55402

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